



GOVERNMENTAL ETHICS COMMISSION

www.accesskansas.org/ethics

Jason Bitter
Treasurer for Ed O'Malley
7933 Colonial Drive
Overland Park, KS 66204

September 27, 2006

Notification of Material Error or Omission
In A Receipts and Expenditures Report

RE: Receipts and Expenditures Report Due July 24, 2006
(Covering the Period January 1, 2006 thru July 20, 2006)

A review of your Receipts and Expenditures Report identified above indicates the material error(s) or omission(s) listed on the other side of this page. Such error(s) and omission(s) must be corrected within (30) days of the date of this notice by filing an amended report.

File the amended report within thirty (30) days with:

Secretary of State
120 SW 10th
Memorial Hall
Topeka, KS 66612

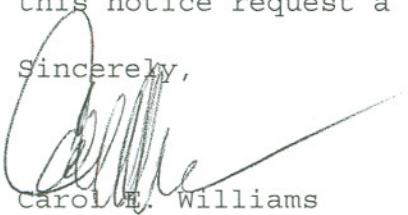
AND

The Candidate's
Home County Election
Officer

As provided by law, a copy of this notice has been made a part of your record in the Secretary of State's Office. The intentional failure to file an amended report within thirty (30) days is a class A misdemeanor. In addition, you may not accept contributions or make expenditures following the end of the thirty (30) day period if the amended report has not been filed.

Additional information and assistance may be obtained by writing or calling this office. If after having contacted this office substantial issues remain unresolved, you may within ten (10) days of receipt of this notice request a hearing before the Commission.

Sincerely,


Carol E. Williams
Executive Director

1. K.S.A. 25-4153 (a)(1) states, "The aggregate amount contributed to a candidate and such candidate's committee . . . shall not exceed the following: for member of the house of representatives, . . . \$500 for each primary election . . . and an equal amount for each general election." The O'Malley campaign reported receiving a \$150 contribution on 12-30-05 from BNSF Railway Company, and an additional \$400 on 7-19-06, for a total of \$550. Both of these contributions were received during the primary election period.

Pursuant to K.S.A. 25-4153, the campaign accepted a contribution in excess of the legal limit amounting to \$50. We would suggest that this contribution be refunded immediately. The return of this contribution should be noted on Schedule C (Expenditures and Other Disbursements) of the October 30, 2006 Receipts and Expenditures Report.

2. The July 24, 2006 Receipts and Expenditures Report was not signed by the treasurer of record. An amended July 24, 2006 Report must be filed and signed by Jason Bitter, the treasurer of record.

If you have any questions, feel free to contact this office.